



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Communications (July 26, 1994 through August 8, 1994)

MEETING DATE: August 17, 1994

PREPARED BY: Jerry L. Glenn, Assistant City Manager

RECOMMENDED ACTION:

AGENDA ITEM

I 1 a,

RECOMMENDATION

That the City Council by motion action deny the following verified claim filed against the City of Lodi.

a) Jose Duran, date of loss, 7/12/94

BACKGROUND INFORMATION:

Following review of the verified claim filed against the City of Lodi, the City Attorney and/or the City's Contract Administrator, Insurance Consulting Associates, Inc. (ICA) recommend that the City Council deny the subject claim.

FUNDING: None required.

Respectfully Submitted,

Jerry L. Glenn
Assistant City Manager

CCCOM001/TXTA.TLP/GL

APPROVED

THOMAS A. PETERSON
City Manager



recycled paper

CITY COUNCIL

JACK A. SIEGLOCK, Mayor
STEPHEN J. MANN
Mayor Pro Tempore
RAY G. DAVENPORT
PHILLIP A. PENNINO
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

Notice of Claim Rejection

August 18, 1994

Law Offices of Juan Chacon
Juan Chacon, Esq.
481 Ainsley Avenue
Yuba City, CA 95991

RE: Jose Duran vs. City of Lodi
Date of Loss : 07/12/94
Lodi Claim No.: 94-39

Dear Mr. Chacon:

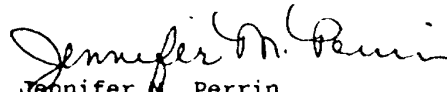
Notice is hereby given that the claim which you presented to the City on August 8, 1994 is rejected as of the date of this letter.

WARNING

Subject to certain exceptions, you have only six (6) months from the date that this notice was personally delivered or deposited in the mail to file a court action on your state law claims. See Government Code Section 945.6. The six month time limit referred to in this notice applies only to claims or causes of action which are governed by the California Tort Claims Act which does not apply to federal causes of action. Additionally, the Tort Claims Act contains certain exceptions. You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult with an attorney, you should do so immediately.

Please also be advised that, pursuant to Sections 128.5 and 1038 of the California Code of Civil Procedure, the City will seek to recover all costs of defense in the event an action is filed in this matter and it is determined that the action was not brought in good faith and with reasonable cause.

Sincerely,


Jennifer M. Perrin
City Clerk

JMP/tp
cc: Insurance Consulting Associates
John Lueberke, Deputy City Attorney

REJECT/1XTA.TLP/GL